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OLC: 78-2409
19 June 1978

OLC RECORD COPY

MEMORANDUM FOR THE RECORD

SUBJECT: Meeting With Chairman Joshua Eilberg (D., Pa.), House Judiciary Subcommittee on Immigration, Citizenship and International Law

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1. [] [] and I met today with Chairman Joshua Eilberg (D., Pa.), House Judiciary Subcommittee on Immigration, Citizenship and International Law, in his office to discuss the attached draft Memorandum of Understanding (MOU) between the Subcommittee and the DCI establishing procedures for the Subcommittee's review of classified CIA documents and the handling of CIA classified information related to the Subcommittee's inquiry into alleged Nazi war criminals residing in the United States. Also present were Garner J. Cline, Staff Director of the full Committee, and Arthur Endres, Counsel, and Peter Regis, Investigator of the Subcommittee.

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2. [] I explained that the proposed MOU follows the general lines of similar MOUs that we have with other investigating committees such as Assassinations and the KCIA Investigations. Endres asked to see copies of the other agreements. I said this presented no problem but explained that the MOUs all differ as each one is tailored to meet specific requirements. Chairman Eilberg and the staff had no problem with the MOU. Chairman Eilberg requested that the last sentence in paragraph six be revised to substitute CIA for the House Permanent Select Committee on Intelligence as the repository of Subcommittee transcripts covering classified CIA matters. Chairman Eilberg said he would ask all of the Subcommittee Members to sign the MOU to assure that they all understand the procedures. He expressed some concern as to how Representative Elizabeth Holtzman (D., N.Y.) would react. I said that if she had any questions we would be glad to meet with her to explain how the procedures apply. I assured the Chairman that the MOU is intended to facilitate CIA's providing all relevant information to the Subcommittee's inquiry, consistent with the protection of intelligence sources and methods.

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3. [] Endres gave me a copy of a letter from Chairman Eilberg to Director William H. Webster, FBI, dated 15 June, requesting that the FBI provide the Subcommittee staff access to the same summaries of information in FBI files given to the GAO investigators during their investigation. The Chairman said he would most appreciate my calling the FBI to explain our proposed MOU and that perhaps the FBI might agree to a similar arrangement which would facilitate the staff's review of FBI files. I told him that I would call the FBI, but I made clear that the FBI has its own procedures with Congressional committees and we would not want to force any changes on the way they operate.

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4. [] The Chairman sought our advice as to what he should tell the Subcommittee Members as to why this matter has been delayed so long. [] emphasized that we cooperated with GAO and we were awaiting any further action by the Subcommittee. Chairman Eilberg did not react to [] comment. To bail himself out, he may try to claim that CIA has not been cooperating with the Subcommittee. To the contrary, we can show our continued cooperation.

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5. [] An executive session Subcommittee hearing is tentatively scheduled for Monday, 17 July, after the recess. Department of Justice, Department of State, and FBI will be requested to appear. Chairman Eilberg hoped that either the Director or Mr. Carlucci appear as the principal witness. Staffer Peter Regis will come to Headquarters some time this week to begin the review of CIA documents in preparation for the hearing.

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[]
Acting Chief, Coordination and Review Staff
Office of Legislative Counsel

Attachment:
As Stated

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